

Message Text

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16

ACTION ARA-10

INFO OCT-01 ISO-00 INSE-00 SCA-01 L-03 SIL-01 LAB-04 EB-07

COME-00 VO-03 /030 W

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R 100015Z JUL 76

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC 6081

LIMITED OFFICIAL USE MEXICO 8856

E.O. 11652: N/A

TAGS: PFOR, PBOR, MX, US

SUBJ: INS AIR REPATRIATION: MEXICAN RESPONSE

REF: STATE 155022

1. EMBASSY RECEIVED JULY 8 THE LONG-PROMISED MEMORANDUM FROM FOREIGN SECRETARIAT OUTLINING GOM RESPONSE TO PROPOSED ARRANGEMENTS FOR INS AIR REPATRIATION OF UNDOCUMENTED MIGRANTS (REFTEL). TEXT OF RESPONSE FOLLOWS:

BEGIN TEXT:

(A) THE EMBASSY OF THE UNITED STATES OF AMERICA IN MEXICO PRESENTED A MEMORANDUM TO THE SECRETARIAT, DATED THE 2ND OF JUNE OF THIS YEAR, CONCERNING THE REPATRIATION OF MEXICAN CITIZENS FOUND IN THE UNITED STATES WITHOUT REQUIRED IMMIGRATION DOCUMENTATION. IN ITS MEMORANDUM, THE EMBASSY INDICATED THAT ITS GOVERNMENT PROPOSED TO CARRY OUT THAT REPATRIATION, ASSUMING THE RELATED COSTS, (AND) UTILIZING COMMERCIAL AIRLINES WHICH CONNECT VARIOUS UNITED STATES CITIES WITH TOWNS IN THE INTERIOR OF MEXICO.

(B) THE MEXICAN AUTHORITIES HAVING BEEN CONSULTED ON THIS MATTER, THE GOVERNMENT OF MEXICO HAS DETERMINED THAT, SINCE IT DEALS WITH A SPECIAL OPERATION -- GIVEN THE FACT THAT THE PROGRAM WOULD INCLUDE A CONSIDERABLE NUMBER OF MEXICAN CITIZENS AND WOULD BE COMPLETED BEFORE

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THE 31ST OF NEXT SEPTEMBER -- AND SINCE IT DEALS WITH

PERSONS WHO, AS FAR AS IS KNOWN, IN LARGE PART LACK THE DOCUMENTATION NECESSARY TO DETERMINE THEIR MEXICAN NATIONALITY, THE FOLLOWING ELEMENTS SHOULD BE TAKEN INTO ACCOUNT IN CARRYING OUT THAT PROGRAM:

- (1) THE MEXICAN IMMIGRATION AUTHORITIES WILL NOT BE ABLE TO ADMIT FOR ENTRY INTO THE COUNTRY ANY PERSON WHO LACKS THE REQUIRED DOCUMENTATION AND, AS A MINIMUM, A CERTIFICATE OF PRESUMPTION OF NATIONALITY (CONSTANCI DE PRESUNCION DE NACIONALIDAD).
- (2) THE CERTIFICATE OF PRESUMPTION OF NATIONALITY WILL BE ISSUED FOR EACH INDIVIDUAL BY THE MEXICAN CONSULATES OF THE PRESPECTIVE JURISDICTION, (ON THE BASIS OF) PRIOR INTERVIEW WITH EACH ONE OF THE PERSON CONCERNED.
- (3) IT IS HOPED THAT THE UNITED STATES AUTHORITIES WILL PROVIDE THE MEXICAN CONSULATES OF THE RESPECTIVE JURISDICTION A COMPLETE LIST OF THE PERSON TO BE TRANSPORTED, IN ADVANCE AS FOLLOWS:

IN THE CASE OF GROUPS OF FEWER THAN 20 PERSONS, 24 HOURS PRIOR TO TRANSPORT;

IF THE GROUPS INCLUDE 20-60 PERSONS, 48 HOURS IN ADVANCE, AND

IF THE GROUPS ARE LARGER THAN 60 PERSONS, 72 HOURS IN ADVANCE.

- (4) IT IS HOPED THAT THE UNITED STATES AUTHORITIES WILL GIVE MEXICAN CONSULAR PERSONNEL ALL NECESSARY FACILITIES FOR INTERVIEWING THOSE WHO WILL BE TRANSPORTED, IN ORDER TO DETERMINE THE FOLLOWING:

THEIR PRESUMED MEXICAN NATIONALITY;
THEIR WILLINGNESS TO BE TRANSPORTED TO THE INTERIOR OF THE REPUBLIC;

THE ABSENCE OF FAMILY DEPENDENTS IN THE U.S.;

PRIOR RECEIPT OF ALL REMUNERATIONS WHICH MAY LIMITED OFFICIAL USE

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BE DUE AS A RESULT OF WORK IN THE UNITED STATES; AND

THEIR PLACE OF ORIGIN AND DESTINATION AND THEIR REGULAR JOB OR OCCUPATION.

- (5) IT IS HOPED THAT THE GOVERNMENT OF THE UNITED STATES WILL COMMUNICATE, AS FAR IN ADVANCE AS POSSIBLE, TO THE MEXICAN CONSULATES WITH JURISDICTION

AND, IF POSSIBLE, DIRECTLY TO THE SECRETARIAT OF
FOREIGN RELATIONS IN MEXICO, THE FOLLOWING DATA:

PORT OF DEPARTURE OF THE PERSONS OR GROUPS TO
BE TRANSPORTED;
PORT OF ARRIVAL IN MEXICAN TERRITORY; AND
NAME OF THE AIRLINE UTILIZED AND FLIGHT NUMBER.

(C) OBVIOUSLY, THE GOVERNMENT OF MEXICO TRUSTS THAT THE
UNITED STATES AUTHORITIES WILL NOT IMPOSE UPON THE PERSONS
TRANSPORTED ANY PECUNIARY FINE PRIOR TO THEIR DEPARTURE
FROM THE UNITED STATES, SO THAT THEY WILL NOT BE DEPRIVED
OF THE MEANS WHICH WILL PERMIT THEM TO RE-ESTABLISH THEIR
REGULAR ECONOMIC ACTIVITY IN THEIR PLACE OF ORIGIN.
END TEXT.

2. DCM TELEPHONED AMBASSADOR GONZALEZ DE LEON AT
FONSEC (WHO WAS RESPONSIBLE FOR DRAFTING THE ABOVE), TO
OBTAIN CLARIFICATION OF CERTAIN ITEMS, AS FOLLOWS;

-- REGARDING TIME PERIOD FOR ADVANCE NOTICE
CONTAINED IN PARA (3) OF FONSEC MEMO, DCM SAID HE
ASSUMED MEXICAN CONSULS WOULD COMPLETE INTERVIEWS AND DOCUMENTATION
CALLED FOR IN PRECEDING PARAS (1) AND (2) WITHIN THESE TIME
PERIODS. GONZALEZ DE LEON CONFIRMED THAT THIS WAS CORRECT.

-- NOTING THAT PARA (1) SEEMED TO IMPLY THAT
DOCUMENTATION IN ADDITION TO A "CERTIFICATE OF PRESUMPTION
OF NATIONALITY" MIGHT BE REQUIRED FOR RE-ENTRY INTO
MEXICO, DCM ASKED WHETHER THIS WAS REALLY FONSEC'S INTENT.
GONZALEZ REPLIED THAT, SINCE ALMOST ALL HAD ENTERED
UNITED STATES WITHOUT DOCUMENTATION, GOM WAS PREPARED
TO RE-ADMIT ON BASIS OF "CERTIFICATE OF PRESUMPTION OF
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NATIONALITY" ALONE AFTER MORE OR LESS PRO FORMA CONSULAR
INTERVIEW.

-- DCM ASKED WHETHER FONSEC REALLY HAD IN MIND
EMBASSY'S SERVING AS CHANNEL OF NOTIFICATION FOR EACH
RETURNING FLIGHT OF MIGRANTS (PARA (5)) SUGGESTING SAME
PURPOSE MIGHT MORE EASILY BE ACCOMPLISHED VIA MEXICAN
CONSULS THEMSELVES. GONZALEZ DE LEON SAID GOME WOULD
PREFER USG NOTIFICATION TO BOTH MEXICAN CONSULATES AND
FONSEC VIA U.S. EMBASSY WHEN POSSIBLE. HOWEVER, HE
RECOGNIZED THAT OUR ABILITY TO NOTIFY FONSEC WOULD BE
A FUNCTION OF LEAD TIME FOR EACH GROUP AND NOTED THAT
MEMORANDUM ONLY ASKED FOR NOTIFICATION OF FONSEC "IF POSSIBLE."

3. FINALLY, GONZALEZ DE LEON DREW DCM'S ATTENTION TO

CONCLUDING PARAGRAPH OF MEMORANDUM, WHICH URGES THAT PERSONS BEING TRANSPORTED NOT BE SUBJECTED TO FINES UPON THEIR DEPARTURE. HE SAID GOM FELT STRONGLY THAT, IF PURPOSE WAS TO RE-ESTABLISH MIGRANTS WITHIN MEXICO AND KEEP THEM THERE, IT WOULD ONLY DETRACT FROM THAT PURPOSE TO DEPRIVE THEM OF ANY FINANCIAL RESOURCES WHICH THEY MIGHT BE ABLE TO USE IN GETTING RE-ESTABLISHED. DCM OBSERVED HE COULD ONLY AGREE AND WOULD URGE THAT WASHINGTON PAY SPECIAL ATTENTION TO THIS POINT.

4. SPANISH TEXT OF FONSEC MEMORANDUM BEING POUCHED
ATTENTION ARA/MEX.
JOVA

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MIGRATORY WORKERS, IMMIGRATION CONTROL, REPATRIATION, DIPLOMATIC NOTES
Control Number: n/a
Copy: SINGLE
Draft Date: 10 JUL 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ElyME
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976MEXICO08856
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760266-0938
From: MEXICO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760771/aaaackeo.tel
Line Count: 182
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION ARA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 STATE 155022
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Review Authority: ElyME
Review Comment: n/a
Review Content Flags:
Review Date: 21 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <21 JUL 2004 by ellisoob>; APPROVED <29 OCT 2004 by ElyME>
Review Markings:

Margaret P. Grafeld
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US Department of State
EO Systematic Review
04 MAY 2006

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Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
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TAGS: PFOR, PBOR, MX, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006